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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

10 UNITED STATES OF AMERICA,) Nos. CR 11- 00558 - LHK
11) CR 11- 00559 - LHK
12 Plaintiff,) CR 11- 00560 - LHK
13 vs.) CR 11- 00706 - LHK
14 MICHAEL RUELAS and) JOINT STIPULATION AND REQUEST TO
15 LORENZO ISRAEL GARCIA,) CONTINUE SENTENCING HEARING
16 Defendant.) DATE TO DECEMBER 5, 2012; AND
17 [PROPOSED] ORDER

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STIPULATION

Defendant Michael Ruelas, by and through Assistant Federal Public Defender Varell L. Fuller; Lorenzo Israel Garcia, by and through Counsel Jack Gordon; and the United States, by and through Assistant United States Attorney Thomas M. O'Connell, hereby stipulate and agree, subject to the Court's approval, that the sentencing hearing presently set for Wednesday, October 17, 2012, at 9:00 a.m., be continued to Wednesday, December 5, 2012, at 9:00 a.m.

Defendants Michael Ruelas and Lorenzo Israel Garcia have pled guilty and a sentencing hearing is presently set for October 17, 2012, as to both defendants. The parties respectfully ask that the sentencing hearing date be continued to help facilitate the completion of the presentence

1 report investigation and to permit the parties additional time necessary to effectively prepare for
2 the sentencing hearing. United States Probation Officer Benjamin Flores, who has been assigned
3 to conduct the presentence investigation, has been consulted about the requested continuance and
4 has no objection. The parties further agree that the deadlines by which the United States
5 Probation Office must disclose the draft and final pre-sentence reports shall be adjusted
6 according to the new December 5, 2012, sentencing date.

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8 Dated: October 1, 2012

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/s/
VARELL L. FULLER
Assistant Federal Public Defender
Counsel for Michael Ruelas

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Dates: October 1, 2012

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/s/
JACK GORDON
Counsel for Lorenzo Israel Garcia

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Dated October 1, 2012

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/s/
THOMAS M. O' CONNELL
Assistant United States Attorney

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[PROPOSED] ORDER

16 GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that
17 the sentencing hearing date set for Wednesday, October 17, 2012, at 9:00 a.m. is continued to
18 Wednesday, December 5, 2012, at 9:00 a.m., and the dates by which United States Probation
19 must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

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Dated: 10/2/12

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THE HONORABLE LUCY H. KOH
United States District Court Judge

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